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SMITH HOPEN
INTELLECTUAL PROPERTY LAW180 Pine Avenue North, Oldsmar FL 34677
(813) 925-8505 Tel (813) 925-8525 Fax**Fax**

INTELLECTUAL PROPERTY LAW

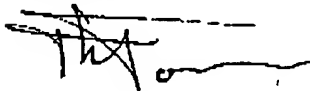
To:	US Patent & Trademark Office	From:	Thomas E. Toner
Attn:	Allison Ford	Client:	1372.129.PRC
Fax:	571-272-2936; 571-273-8300	Pages:	5 including coversheet
Phone:		Date:	January 3, 2007
Re:	USPN 10/777,425	CC:	
<input type="checkbox"/> Urgent <input checked="" type="checkbox"/> For Review <input type="checkbox"/> Please Comment <input type="checkbox"/> Please Reply <input type="checkbox"/> Please Recycle			

Dear Examiner Ford:

Per your request we enclose the following:

1. Facsimile transmission receipt received on 7/28/2006;
2. Original fax cover sheet for transmission of response to Election/Restriction Requirement;
3. Amendment transmittal with certificate of facsimile dated July 26, 2006; and
4. Response to Election/Restriction Requirement.

Respectfully,

Thomas E. Toner
Reg. No. 57,422

The documentation accompanying this transmission contains information from the Law Office of Smith & Hopen, P.A., which is confidential and/or privileged. The information is intended only for the use of the individual or entity named on this sheet. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance upon the contents of this telecopied information is strictly prohibited. If you have received this transmission in error, please notify us by telephone immediately, so that we can arrange for the return of the original documents to us at no cost to you.

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TO: Fax Sender at 8139258525

Fax Information

Date Received:

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7/26/2006 4:50:44 PM [Eastern Daylight Time]

3 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received
Cover
Page

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01/26/2006 16:40 FAX 8139258525		SMITHHOPEN		002/005	
SMITH HOPEN INTELLECTUAL PROPERTY LAW 180 Pine Avenue North, Odessa, FL 34077 (913) 828-8044 Tel (913) 825-6523 Fax					
FOX INTELLECTUAL PROPERTY LAW					
To:	U.S. Patent & Trademark Office		From:	Thomas E. Toner	
Attn:	Examiner Allison M. Ford - Art Unit 1451		Client:	1372129.PRC	
Fax:	(571) 273-8300		Pages:	3 including coversheet	
Phone:	(571) 273-2936		Date:	July 26, 2006	
Re:	USPN: 10/777,425		CC:	University of South Florida (Assignee)	
<input type="checkbox"/> Urgent <input checked="" type="checkbox"/> For Review <input type="checkbox"/> Please Comment <input type="checkbox"/> Please Reply <input type="checkbox"/> Please Reply &					
Dear Examiner Ford:					
In response to the non-final office action mailed June 26, 2006, we enclose the following:					
1. Amendment Transmittal with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated July 26, 2006 (1 page); and 2. Response to Election/Resolution Requirement (1 page).					
Very Respectfully,					
 Thomas E. Toner Reg. No. 57,422					
The documentation accompanying this transmission contains information from the Law Office of Smith A. Hopson, P.A., which is confidential and for privileged. The information is intended only for the use of the individual or entity named on this cover. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance upon the contents of this transmitted information is strictly prohibited. If you have received this transmission in error, please notify us by telephoning immediately, so that we can arrange for the return of the original documents to us or no cost to you.					
PAGE 10 * RCVD AT 1/3/2006 14:04 PM [Eastern Daylight Time] * SVR:USPTO-EFXXF-3/1 * DNIS:2738300 * CSID:8139258525 * DURATION (mm-ss):01-11					

SMITH HOPEN
INTELLECTUAL PROPERTY LAW180 Pine Avenue North, Oldsmar FL 34677
(813) 925-8505 Tel (813) 925-8525 Fax**RECEIVED**
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To:	U.S. Patent & Trademark Office	From:	Thomas E. Toner
Attn:	Examiner Allison M. Ford - Art Unit 1651	Client:	1372.129.PRC
Fax:	(571) 273-8300	Pages:	3 including coversheet
Phone:	(571) 272-2936	Date:	July 26, 2006
Re:	USPN: 10/777,425	CC:	University of South Florida (Assignee)

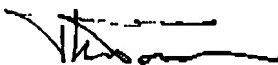
☐ Urgent ☒ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

Dear Examiner Ford:

In response to the non-final office action mailed June 26, 2006, we enclose the following:

1. Amendment Transmittal with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated July 26, 2006 (1 page); and
2. Response to Election/Restriction Requirement (1 page).

Very Respectfully,

Thomas E. Toner
Reg. No. 57,422

The documentation accompanying this transmission contains information from the Law Office of Smith & Hopen, P.A., which is confidential and/or privileged. The information is intended only for the use of the individual or entity named on this sheet. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance upon the contents of this telecopied information is strictly prohibited. If you have received this transmission in error, please notify us by telephone immediately, so that we can arrange for the return of the original documents to us at no cost to you.

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Practitioner's Docket No.: 1.2.129.PRC

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Paul R. Sanberg)

Serial No.: 10/777,425)

Filed: 02/12/2004)

For: Compositions and Methods for Using
Umbilical Cord Progenitor Cells in the
Treatment of the Myocardial Infraction)

Art Unit: 1651

Examiner: Allison M. Ford

Confirmation: 4326

Faxed to Central Fax at (571) 273-8300
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant responds to the nonfinal Examiner's action mailed June 26, 2006, having a shortened statutory period for response set to expire July 26, 2006 as follows:

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

Applicant elects to prosecute Invention I, species (b), claims 3, 4 and 12-18, drawn to a method of treating circulatory diseases, classified in class 424. This election is made without traverse.

REMARKS

If an Examiner's Amendment would place the pending claims in condition for allowance, a telephone call to the undersigned at (813) 925-8505 is requested.

Very respectfully,
SMITH & HOPENBy: Thomas E. Toner
Reg. No. 57,422
180 Pine Avenue North
Oldsmar, FL 34677
(813) 925-8505
Attorneys for Applicant

Dated: July 26, 2006

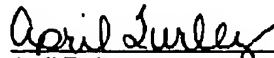
pc: University of South Florida (Assignee)

CERTIFICATE OF FACSIMILE TRANSMISSION

(37 C.F.R. 1.8(a))

I HEREBY CERTIFY that this Response to Election/Restriction Requirement is being transmitted by facsimile to the U.S. Patent and Trademark Office, Group Art Unit 1651, Attn: Allison M. Ford, (571) 273-8300 on July 26, 2006.

Dated: July 26, 2006


April Turley

CENTRAL FAX CENTER

Practitioner's Docket No. 1372.129.PRC

JAN 03 2007

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Paul R. Sanberg)

Serial No.: 10/777,425)

Filed: 02/12/2004)

For: Compositions and Methods for Using
Umbilical Cord Progenitor Cells in the
Treatment of the Myocardial Infraction)

Art Unit: 1651

Examiner: Allison M. Ford

Confirmation: 4326

Faxed to Central Fax at (571) 273-8300
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**AMENDMENT TRANSMITTAL**

1. Transmitted herewith is a Response To Election/Restriction Requirement for this application.

STATUS

2. Applicant is an independent inventor.

EXTENSION OF TERM

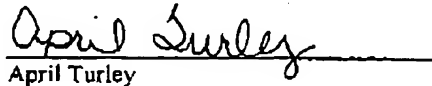
3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

**SIGNATURE OF PRACTITIONER**Thomas E. Toner
Smith & Hopen, P.A.
180 Pine Avenue North
Oldsmar, FL 34677
(813) 925-8505Reg. No.: 57,422
Customer No.: 21,901**CERTIFICATE OF FACSIMILE TRANSMISSION**

(37 C.F.R. 1.8(a))

I HEREBY CERTIFY that this correspondence is being transmitted by facsimile to the U.S. Patent and Trademark Office, Group Art Unit 1651, Attn: Allison M. Ford, (571) 273-8300 on July 26, 2006.

Dated: July 26, 2006


April Turley

(Restriction Requirement – Transmittal)